

**DRAFT DECISION NOTICE**  
**TURKEY COVE RUFFED GROUSE HABITAT IMPROVEMENT PROJECT**  
**U.S. FOREST SERVICE**  
**CLINCH RANGER DISTRICT**  
**GEORGE WASHINGTON AND JEFFERSON NATIONAL FORESTS**  
**LEE AND WISE COUNTIES, VIRGINIA**

## **INTRODUCTION**

This document is the Draft Decision Notice for the Turkey Cove Ruffed Grouse Habitat Improvement Project. It explains the rationale for the decision. For a more thorough description of the analyses and the project Finding of No Significant Impact (FONSI) statement, interested parties should refer to the Environmental Assessment (EA) and the various specialist reports in the project record. The EA and reports can be viewed at the Clinch Ranger District at 1700 Park Avenue SW, Norton, VA, or online at <https://www.fs.usda.gov/project/?project=37322>.

## **DECISION**

Based upon my review of the Turkey Cove Ruffed Grouse Habitat Improvement Project Environmental Assessment (EA), I have decided to implement the Proposed Action as described in the final EA. This will create and enhance terrestrial, riparian, and aquatic wildlife habitat and maintain a mix of tree species, balanced age class distribution, and function within the project area with the goal of trending the landscape toward desired conditions described in the *Revised Land and Resource Management Plan Jefferson National Forest* (hereinafter referred to as the Forest Plan).

## **DECISION RATIONALE**

I have chosen the Proposed Action because it moves the project area toward attaining forest-wide goals and objectives identified in the Forest Plan and the desired conditions for the 8E1 (Ruffed Grouse/Woodcock Habitat Management) and 7B (Scenic Corridors) management prescriptions.

By moving forward with the planned activities, the amount of early successional habitat will increase from less than one percent to approximately seven percent of the project area. This will be one of the key project outcomes and will provide improved wildlife habitat (especially ruffed grouse) conditions. In addition, the planned activities create and maintain the desired mix of tree species, age classes, and function and contribute to local and regional economies via wood markets and enhanced recreational opportunities (such as hunting and berry picking). The planned project activities (e.g., mechanized timber harvest, prescribed burning) are similar to past management actions successfully conducted on the Clinch Ranger District.

In reaching my decision, I relied on an interdisciplinary team comprised of Forest Service resource specialists to analyze the effects of the alternatives described in the EA.

After reviewing the specialist reports, EA, and associated documents in the project record, I have determined that Proposed Action as described in the final EA meets the goals of the Forest Plan, will address the purpose and need for the project, and considers concerns raised by those who commented on the EA. Inaction would not address the purpose and need for the project.

## **OTHER ALTERNATIVES CONSIDERED**

We are required by the National Environmental Policy Act (NEPA, Section 102(2) (E)) to explore and evaluate reasonable alternatives to the proposed action when there are “*unresolved conflicts concerning alternative uses of natural resources*”. When, such as in this case, there are no unresolved conflicts concerning alternative uses of available resources, the EA need only analyze the proposed action and proceed without consideration of additional alternatives (36 CFR 220.7(b) (2) (i)).

### ***ALTERNATIVE 2***

Alternative 2 is a “No Action” alternative where no vegetative treatments or other actions described in the proposed action would be implemented. It is essentially the “status quo” that allows current activities and policies, such as road and wildlife opening maintenance, and wildland fire management to continue and has no effect on current trends. This alternative was not selected because it does not satisfy the primary purpose and need for the proposed action.

### ***ALTERNATIVES ELIMINATED FROM DETAILED STUDY***

Several other alternatives were considered but not proposed for detailed study because they did not meet the purpose and need of the project, were inconsistent with Forest Plan management direction, or were not feasible due to existing conditions in the project area. A list of these alternatives, along with the rationale for their exclusion, is included in the *Alternatives* section of the EA.

## **PUBLIC INVOLVEMENT**

The Turkey Cove project first appeared on the Clinch Ranger District’s quarterly Schedule of Proposed Actions (SOPA) in the third quarter of fiscal year 2018 as the Turkey Cove Ruffed Grouse Habitat Improvement Project and has appeared on the schedule as such since that time. Scoping was conducted by the Project Interdisciplinary Team (IDT) to determine the issues related to the proposed action, and a variety of individuals and organizations were contacted to identify additional issues and concerns.

Scoping letters were mailed on May 30, 2018 to interested and affected agencies, organizations, and individuals informing them of the preliminary proposal and requesting their input. Eighteen letters were received in response to this initial scoping. Additionally, two public meetings were held June 15, 2018. The intent of these sessions was to answer questions and solicit input. Comments were considered in the development of the proposed action.

The comment period for the Draft EA ran from February 22 through March 25 of 2019. Eight comments letters were received from interested parties; responses to relevant comments have been compiled in the Turkey Cove Response to Comments document posted on the project website (<https://www.fs.usda.gov/project/?project=37322>).

I carefully reviewed and weighed the comments received during both scoping and the notice and comment period for the EA and used them to guide the development of my decision.

## **FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

National forest management is guided by various laws, regulations, and policies that provide the framework for all levels of planning. This includes national and regional guides, forest plans, and site-specific planning documents such as this Environmental Assessment. Higher-level documents are incorporated by reference and can be obtained from Forest Service offices. Relevant laws, regulations, and policies, in addition to forest plan direction, are also referenced in individual specialist reports that are part of the project record.

### ***NATIONAL FOREST MANAGEMENT ACT (NFMA)***

This project is consistent with the National Forest Management Act (NFMA) of 1976. This project does not propose any commitments of resources that are irretrievable or irreversible. No timber harvest is planned to occur on lands not suited for timber production. Timber harvest is planned to occur only on lands where soil, slope, or other watershed conditions will not be irreversibly damaged. The proposed clearcutting is the optimal method to meet management objectives of the white pine stands. Temporary roads constructed as part of this project will be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources. Temporary roads constructed in connection with this project will be designed with the goal of closing and revegetating them following completion of the activities for which they were constructed and any associated administrative use.

This decision to authorize the implementation of vegetation treatments on National Forest System lands on the Jefferson National Forest is consistent with the intent of the Forest Plan's long term goals and objectives. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidance.

### ***ROADLESS AREA CONSERVATION RULE***

The Turkey Cove Ruffed Grouse Habitat Improvement Project does not overlap any Inventoried Roadless Areas identified under the 2001 Roadless Area Conservation Rule.

### ***CLEAN WATER ACT (CWA)***

Integration of resource protection measures and best management practices into the proposed action is intended to protect species and age class diversity in riparian areas; maintain riparian species in

streamside management zones; and leave sufficient vegetation to provide bank stabilization, shade, and future sources of large wood to ensure channel maintenance. Further, best management practices call for treatments to avoid, minimize, or mitigate adverse effects to riparian resources. Implementation of these measures will ensure protection of aquatic resources and water quality during and after project implementation. Implementation of the modified proposed action is not expected to substantially alter the water quality within or adjacent to the Turkey Cove Ruffed Grouse Habitat Improvement project area. Therefore, I determined that the modified proposed action is in compliance with the requirements of the Clean Water Act.

### ***MIGRATORY BIRD TREATY ACT (MBTA) AND EXECUTIVE ORDER 13186***

The proposed action would provide suitable habitat for some species of migratory birds and is in compliance with the Migratory Bird Treaty Act.

### ***FLOODPLAIN MANAGEMENT (E.O. 11988), PROTECTION OF WETLANDS (E.O. 11990), MUNICIPAL WATERSHEDS***

Integration of resource protection measures and best management practices for riparian reserves will ensure compliance with EO 11988 Floodplain Management (11988, 1977), and EO 11990 Wetland Protection (11990, 1977). Refer to the section above (CWA) and FONSI Intensity factor #3 found in the EA.

### ***ENVIRONMENTAL JUSTICE (E.O. 12898)***

The proposed action is consistent with Executive Order 12898. This project will not have any disparate effects on minority populations or low-income populations. This project will not have human health effects on any group.

### ***CONFLICTS WITH PLANS, POLICIES, OR OTHER JURISDICTIONS***

The project Interdisciplinary Team has cooperated with State and other local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements. State, local, and Federal laws were reviewed and this project has no inconsistencies with approved State or local plan and laws.

A FONSI and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment and an Environmental Impact Statement (EIS) will not be prepared.

### **ADMINISTRATIVE REVIEW OPPORTUNITIES**

This project is subject to a pre-decisional objection process as described in 36 CFR 218. The objection period will end 45 calendar days following the publication of a legal notice in *The Coalfield Progress*. This notice is expected to be published on May 17, 2019. The decision implements the Jefferson National Forest Land and Resource Management Plan and does not fall under the Healthy Forest Restoration Act.



Requirements for filing an objection may be found on the project's web page at <https://www.fs.usda.gov/project/?project=37322>.

## IMPLEMENTATION DATE

This project may be implemented any time following the date the final decision is signed. Implementation will occur over several years as funding and resources allow.

## CONTACT

For additional information concerning this decision, contact: Christopher Brown, Zone NEPA Planner, at 540-953-3570, [christopherjbrown@fs.fed.us](mailto:christopherjbrown@fs.fed.us); or Shelby Williams, project lead, at 276-679-8370 x237, [shelbywilliams@usda.gov](mailto:shelbywilliams@usda.gov)

# - DRAFT

Michelle W. Davalos  
Clinch District Ranger

Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.